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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

**Plaintiff,**

VS.

ZACHARY SANNS,

## Defendant.

Case No. 2:20-mj-00482-NJK

**ORDER GRANTING STIPULATION  
TO CONTINUE THE PRELIMINARY  
HEARING (THIRD REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and CHRISTOPHER BURTON, Assistant United States Attorney, counsel for the United States of America, and DAVID T. BROWN, ESQ., counsel for Defendant ZACHARY SANNS, that the preliminary hearing currently scheduled for September 29, 2020, at 4:00 p.m., be vacated and continued to a date and time to be set by this Honorable Court but no sooner than fourteen (14) days.

This stipulation is entered into for the following reasons:

1. Counsel for the defendant needs additional time to review discovery and conduct investigation in this case.

2. The parties agree to the continuance.

3. The defendant is currently not detained and does not object to a continuance.

4. The additional time requested herein is not sought for purposes of delay, but to allow counsel for defendant sufficient time within which to be able to effective and complete investigation of the discovery materials being provided.

5. Additionally, there is good cause for continuing the preliminary hearing under Federal Rule of Criminal Procedure 5.1(d) and denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the preliminary hearing, or filing of an indictment or information herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

6. This is the third stipulation to continue filed herein.

DATED this 25th day of September, 2020.

Respectfully submitted,

NICHOLAS A. TRUTANICH  
United States Attorney

//s//  
DAVID T. BROWN, ESQ.  
Counsel for Defendant  
ZACHARY SANNS

//s//

1  
2                   **UNITED STATES DISTRICT COURT**  
3                   **DISTRICT OF NEVADA**

4                   UNITED STATES OF AMERICA,

5                   2:20-mj-00482-NJK

6                   Plaintiff,

7                   **ORDER**

8                   vs.

9                   ZACHARY SANNS,

10                  Defendant.

11                  Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

13                  1.       Counsel for the defendant needs additional time to review discovery and conduct  
14 investigation in this case.

15                  2.       The parties agree to the continuance.

16                  3.       The defendant is currently not detained and does not object to a continuance.

17                  4.       The additional time requested herein is not sought for purposes of delay, but to  
18 allow counsel for defendant sufficient time within which to be able to effective and complete  
19 investigation of the discovery materials being provided.

20                  5.       Additionally, there is good cause for continuing the preliminary hearing under  
21 Federal Rule of Criminal Procedure 5.1(d) and denial of this request for continuance could  
22 result in a miscarriage of justice. The additional time requested by this Stipulation is excusable  
23 in computing the time within which the preliminary hearing, or filing of an indictment or  
24 information herein must commence pursuant to the Speedy Trial Act, Title 18, United States  
Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
Section 3161(h)(7)(B)(i) and (iv).

6. This is the third stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

## **CONCLUSIONS OF LAW**

There is good cause in continuing the preliminary hearing and the ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is excusable under Federal Rule of Criminal Procedure 5.1(d) and the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), when considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

## ORDER

IT IS FURTHER ORDERED that the preliminary hearing currently scheduled for September 29, 2020, at the hour of 4:00 p.m., be vacated and continued to October 13, 2020, at 4:00 p.m., in Courtroom 3C.

DATED 28 day of September, 2020.

  
THE HONORABLE NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE